

REMARKS

This amendment is responsive to the Office Action mailed on March 17, 2008 setting a three month shortened statutory period for response which expires on June 17, 2008. Claims 19-23 and 28-38 were pending in the application. Claims 19 and 28 have been amended. New claims 39-43 have been added. Prompt reconsideration is requested.

Claim Rejection - 35 U.S.C. § 102

Claims 19, 20, 22, 28-30 and 38 stand rejected as anticipated by Waytena et al. The examiner asserts that Waytena et al teach establishing a first and second queue, but as correctly recognized by the examiner Waytena et al teach:

-establishing a physical queue by which one or more patrons may access the attraction in a first in first out order (see, C3 L56-57 and Figure 2 element "physical queue");

-establishing a virtual queue by which one or more patrons may access the attraction in a manner which avoids the first queue (see; C3 L50, C3 L11-12);

Hence, Waytena et al does not teach or suggest that the second queue is a physical queue filled with patrons as set forth in amended claim 19 or filled with customers as set forth in amended claim 28. Thus, Applicants claim a system in which two physical queues are utilized where one of the queues is filled by giving patrons/customers return times. It is respectfully submitted that neither Waytena nor any of the other cited prior art references, either taken alone or in any combination, disclose or suggest this combination. Accordingly, the rejection under 35 U.S.C. § 102(e) and 102(b) should be withdrawn.

Claim Rejection - 35 USC 103(a)

Claims 21, 23, 33, 34 and 37 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Waytena in view of Croughwell et al. (U.S. Patent No. 5,966,654). Claims 31 and 32 have been rejected as being unpatentable over Waytena in view of DeLorme et al. (U.S. Patent No. 5,948,040). Finally, Claims 35 and 36 have been rejected under 103(a) as being unpatentable

over Waytena in view of Croughwell in view of DeLorme et al. For at least the following reasons, the examiner's rejections are traversed.

Claims 19 and 28 recite that **the same return time** can be assigned to two patrons or more. Unlike Waytena, **the present application, and its claims, are not directed to a reservation system** in which a time is allotted for each customer. Instead, return times are provided to more than one customer **for the same time**. Thus, multiple customers can return to the attraction at a scheduled time. Whenever there are patrons or customers in the second queue, at or after their return times, they will access the attraction in preference to those in the first queue. Further, claims 19 and 28 both require that the queues be real and physical. This is not taught by Waytena.

Claims 19 and 28 are neither anticipated nor rendered obvious by Waytena. Claims 20, 21, 22, 23, and 29- 38 all depend from one of Claim 19 or Claim 28. The patents to DeLorme et al and Croughwell et al do not make up for the deficiencies of Waytena. Both of these references deal with reservation methods/systems. Applicants' claimed method IS NOT a reservation method. Instead, Applicants' claimed method is a prioritized access system involving two separate physical queues. Accordingly it is respectfully submitted that the rejections under 35 USC 103 should be withdrawn.

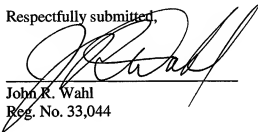
New claims 39-43 are added for consideration. These claims are also believed to be allowable.

Conclusion

Claims 19-23, 28-43 are now pending in the application. Applicants have complied with all requirements made in the above referenced communication and submit that the claims are in condition for allowance. Accordingly, applicants respectfully request that a timely Notice of Allowance be issued in this case. Should matters remain, which the Examiner believes could be resolved in a telephone interview, the Examiner is requested to telephone the Applicants' undersigned attorney at (303)685-7460 to resolve such matters.

The Director is authorized to charge any additional fee(s) or any underpayment of fee(s), or to credit any overpayments to Deposit Account Number **50-2638**. Please ensure that Attorney Docket Number 058085-010201 is referred to when charging any payments or credits for this case.

Respectfully submitted,



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